

REMARKS

Prior to the present Office Action, dated June 17, 2004, claims 1, 4-17, 20-27 and 48-69 are pending. In the present Office Action, the Examiner allowed claims 1, 4-17, 20-27 and 48-56. The Examiner rejected claims 57, 58 and 63-69 under 35 U.S.C. § 103(a) as being unpatentable over various combinations of the prior art patents to Triplett (U.S. Patent No. 4,870,310), Post (U.S. Patent No. 6,111,332), Hagiwara (JP 56-063,117), Gregoire (U.S. Patent No. 5,695,584), Yokono (JP 62-95952) and Murakami, et al. (JP 59-373,323). The Examiner identified claims 59-62 as being allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims. The Examiner objected to the title and recommended a replacement title that is believed to be more indicative of the invention to which the claims are directed. In response, the Applicant is amending title to accept the Examiner's suggestion and amending the claims to place the objected to claims in allowable condition. As such, the Applicants believe the amendments made in response to the Examiner's objections and rejections have placed the application in condition for allowance.

The Title

As set forth herein, the Applicant is hereby amending the title from "Annular Electro-Mechanical Battery" to "Annular Electro-Mechanical Battery with Closed-Loop, Passive Magnetic Bearings" to accept the Examiner's suggestion with regard to a title that is more clearly indicative of the invention to which the claims are directed.

The Claims

As stated above, it is the intent of this amendment to merely place the application in condition for allowance by rewriting the objected to claims in independent form, including all of the limitations of the base claim and any intervening claims. The claims allowed by the Examiner are not being amended herein. Set forth below is a table summarizing the amendments made herein.

<u>Current Claim Number</u>	<u>Former Number(s)</u>	<u>Current Dependency</u>	<u>Dependency Change</u>
57	57+58+59	Indep	---
58	Cancelled	---	---
59	Cancelled	---	---
60	60	57	Yes (from 59)
61	61	60	No
62	Cancelled	---	---
63	63	57	No
64	64	63	No
65	65	57	No
66	66	57	No
67	67	57	No
68	68	67	No
69	69	57	No
70 (New)	57+58+59+62	Indep	---
71 (New)	63	70	---
72 (New)	64	71	---
73 (New)	65	70	---
74 (New)	66	70	---
75 (New)	67	70	---
76 (New)	68	75	---
77 (New)	69	70	---

With regard to cancelled claims 58, 59 and 62, claims 58 and 59 are cancelled as the limitations thereof are being incorporated into claim 57 (claim 59 being objected to and claims 57 and 58 being the base claim and intervening claim, respectively) and claim 62 is cancelled as the limitations thereof are incorporated into new independent claim 70 (claim 62 being objected to and claims 57, 58 and 59 being the base claim and intervening claims, respectively).

With regard to new independent claim 70, this claim incorporates the limitations of the objected to claim 62 and its base claim (57) and the intervening claims (58 and 59). New claims 71-77 are the same as dependent claims 63-69, except rewritten to reflect their dependency on new independent claim 70 or any intervening claim.

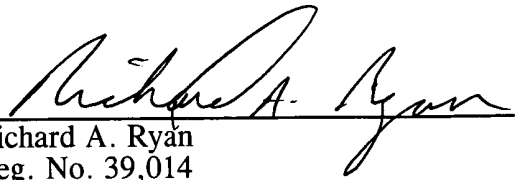
The original application included four independent claims and forty-seven total claims. After this amendment, there will be five independent claims and a total of fifty claims. As a result, an additional fee of \$71.00 is believed due (one independent claim at \$44.00 and one additional total claim at \$27.00) for a small entity. A check in the amount of \$71.00 is included herewith.

1 In view of the foregoing, it is submitted that this application is in condition for
2 allowance. Reconsideration of the rejections and objections in light of this Amendment is requested.
3 Allowance of Claims 1, 4-17, 20-27, 48-57, 60-61 and 63-77 are solicited.

4 Dated: October 16, 2004.

5 Respectfully Submitted,

6
7 By


Richard A. Ryan
Reg. No. 39,014

8
9 Richard A. Ryan
10 Attorney at Law
8497 N. Millbrook, Suite 110
Fresno, CA 93720

11 Phone: (559) 447-1837
12 Fax: (559) 447-1042
13 e-mail: richard@fresnopatentlaw.com
14
15
16
17
18
19
20
21
22
23
24
25
26